



PRESS RELEASE

**FOR IMMEDIATE RELEASE
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CAMP VERDE MEN INDICTED FOR DUMPING TOXIC CHEMICALS

PHOENIX, ARIZONA -- The United States Attorney's Office for the District of Arizona, announced today that a federal grand jury at Phoenix, Arizona, returned a four count indictment against four Camp Verde, Arizona residents. Named in the indictment were Jerry L. Gaines, Jr. (age 34), Eugene A. Carter (age 48), Eric G. Sexton (age 25), and Joseph Burkholder (age 45).

The indictment alleges that from October 27 through October 28, 2001, the defendants did illegally transport, store and dispose of hazardous, toxic waste chemicals in the Camp Verde, Arizona area. It is further alleged that the toxic chemicals were initially stored at defendant Carter's residence in Camp Verde and subsequently dumped and abandoned at a sand and gravel pit located on United States Forest Service land, east of Camp Verde, thereby injuring and destroying public lands. All four defendants have been issued a Summons to appear in United States District Court to answer the charges. The United States Forest Service has secured the dumping site and over the

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past several months, through extensive clean up efforts, it is believed no public health threat currently exists.

The federal indictment charges defendant Gaines with three counts of violating Title 42, United States Code, Section 6928(d) and one count of violating Title 18, United States Code, Section 1361. Defendant Carter is charged with two counts of violating Title 42, United States Code, Section 6928(d) and one count of violating Title 18, United States Code, Section 1361. Defendants Sexton and Burkholder are each charged with 1 count of violating Title 42, United States Code, Section 6928(d) and 1 count of violating Title 18, United States Code, Section 1361.

A conviction for each violation of Title 42, United States Code, Section 6928(d) carries a maximum penalty of up to 5 years in prison, a fine of up to \$250,000 or both fine and imprisonment. A violation of Title 18, United States Code, Section 1361 carries a maximum penalty of up to 10 years in prison, a fine of up to \$250,000 or both fine and imprisonment.

An indictment is simply the method by which a person is charged with criminal activity and raises no inference of guilt. An individual is presumed innocent until competent evidence is presented to a jury that establishes guilt beyond a reasonable doubt.

The investigation preceding the indictment was conducted by law enforcement officers of the United States Forest Service, Flagstaff, Arizona. The prosecution is being handled by Mark E. Aspey, Assistant United States Attorney, District of Arizona, Flagstaff, Arizona.

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